REMARKS

The Examiner is thanked for the performance of a thorough search and for extending the courtesy of the telephone interview conducted on February 9, 2006.

By this amendment, Claims 1-3, 7-9, and 11-16 have been amended. Claims 18-26 have been added. No claims have been cancelled. Hence, Claims 1-26 are pending in the application.

Claims 18-26 are dependent claims that depend either on Claim 13 or Claim 14. Claims 18-26 recite features similar to those recited in Claims 2-6.

I. TELEPHONE INTERVIEW SUMMARY

Claim 1, as amended, recites:

A method for **masking differences among a plurality of servers** providing similar services over a network, the method comprising the steps of:
receiving, at an application switching component from a requesting process, a request
   for a service among the similar services, wherein the request includes data
   indicating a particular service extension is mandatory;
**wherein the application switching component is a process that switches among the
   plurality of servers;**
sending the request to a first server of the plurality of servers;
receiving, at the application switching component in response to sending the request to
   the first server, error data that indicates the particular service extension is not
   available at the first server, **wherein the error data is not sent to the
   requesting process;** and
in response to receiving the error data, sending the request from the application
   switching component to a second server of the plurality of servers, wherein the
   second server is different from the first server. (emphasis on amendments added)

Based on the proposed amendments in the telephone interview) and the telephone interview, the Applicant and the Examiner reached agreement that the amended claims are not taught by the cited references – James, Preisig, and W3C, alone or in combination. The amendments are now incorporated into the independent claims.

Various embodiments mask differences among a plurality of servers. Part of masking differences is to **not** send error data to a requesting process (e.g. a client) when only one server of a plurality of servers has been sent the request. Thus, the independent claims recite that "error data is not sent to the requesting process". Support for this amendment can be found in paragraph [0044] of the Specification and Figure 2.

According to both James and Preisig cited in the Office Action, error responses are sent to the requester. For example, Preisig states, "Returning to decision diamond 40, if the action is not SOAP, the logic moves to block 56 where an **error response is returned to the service requester**. The logic then ends at state 54" (col. 4, lines 42-45). Also, "If, at decision diamond 68, the action is not WSDL, the request is invalid and an **error response is returned to the requester**. Then, the logic ends at state 54" (col. 5 lines 17-19). Because the references invariably send error responses, and the claimed subject matter masks differences by not always sending error data, the claims are patentable over the references.

The Office Action attempted to equate "application" with the data files of Preisig (i.e. HTTP GET, HTTP POST, XML or URL encoded, DADX or DTD resource file, and the associate action). In the present claims, "application" is deleted and "server" is inserted in its place. Support for this amendment can be found in paragraph [0025] of the Specification.

The claims also define the application switching component (ASC) more clearly. One of the functions of the ASC is to switch among the plurality of servers, as stated in the amended Claim 1. Nothing in either reference teaches or suggests this feature, particularly not the decision tree of Preisig. Support for the amendment can be found in paragraph [0028] of the Specification.

The term "version" is deleted in the present claims in order to avoid confusion with version control systems, such as CVS.

II. CLAIMS 1-7—JAMES, PREISIG, W3C

Claims 1-17 were rejected under 35 U.S.C. 103(a) as allegedly unpatentable over U.S.

Patent No. 6,904,600 (hereinafter James), in view of U.S. Patent No. 6,882,996 (hereinafter

Preisig), and further in view of W3C "Simple Object Access Protocol (SOAP) (hereinafter

W3C).

A. CLAIM 1

The Office Action equates the "requesting process" of Claim 1 with "the general-

purpose computer 20" of James. This is incorrect. The general-purpose computer 20 does not

request anything. Client-side application 36 of James requests a service. James clearly states,

"The client-side application 36…needs a service provided by the server application 200. To

request the service, the **client-side application first creates a SOAP Request Object** in step

202."

Even assuming that client-side application 36 of James is the "requesting process" of

Claim 1, James does not teach "receiving, at the application switching component…, error

data…, **wherein the error data is not sent to the requesting process**" as taught by Claim 1.

James teaches, however, that an error message is sent back to client-side application 36, which

initially requested the service. Under the section that outlines the steps that client-side

application 36 performs for determining the result of the SOAP request (col. 7, lines 4-34; see

also Figure 2, items 214 and 216), James states, "When the request fails at the server

application 200, the ResponseFaultCode, ResponseFaultString, and ResponseFaultDetail

properties are filled from the contents of the server application's error response" (col. 7, lines

25-28). Therefore, the client-side application 36 receives the error response.

Further, server application 200 of James cannot correspond to either the claimed

"application switching component" where the request is received or the "first server" where the

request is subsequently sent. Nothing in James suggests the first server. Nothing in James teaches the application switching component. Thus, James fails to teach or suggest at least the first three steps of Claim 1.

Preisig also fails to cure these deficiencies. For example, similar to James, error responses are sent to the service requester as stated above. Furthermore, nothing in Preisig can be reasonably equated to the "application switching component" as claimed, because nothing in Preisig switches among a plurality of servers. In fact, Preisig only refers to a single server.

With respect to the Office Action's use of Preisig, the Office Action equates "applications" with HTTP GET, HTTP POST, XML or URL encoded, DADX or DTD resource files, and the associated action. This is incorrect. As mentioned above, "application" is replaced with "server" throughout the present claims. A server is a computing entity that provides services to one or more other computer systems, such as clients, over a network. Because HTTP GET, HTTP POST, XML or URL encoded, and DADX or DTD resource files do not provide services to one or more other computing entities, they are not "servers" as taught by Claim 1 under any reasonable interpretation of the term "server".

In the Response to Arguments section, the Final Office Action also equates the plurality of applications with a client, middleware, and server. Preisig does not refer to multiple servers anywhere in its description and figures; rather, reference is made only to a single server. Thus, Preisig does not teach a "plurality of servers" as taught by Claim 1.

With respect to W3C, W3C also fails to teach or suggest at least the features of Claim 1 identified by the amendments. The Office Action only uses W3C as teaching the feature of "the request includes data indicating a particular service extension is mandatory". Thus, W3C is not used in the Office Action to allege that other features of the present claims are obvious or not novel.

Because James, Preisig, and W3C fail to teach or suggest, alone or in combination, all the features of Claim 1, Claim 1 is patentable over James, Preisig, and W3C. Reconsideration is respectfully requested.

B. INDEPENDENT CLAIMS 7 AND 13-16

Independent Claims 7 and 13-16 are, respectively, a computer-readable medium, apparatus, apparatus, system, and method claim. Each of Claims 7 and 13-16 recite features discussed above that distinguish Claim 1 from the cited references. For example, each of Claims 7 and 13-16 state that error data is not sent to the requesting process. Therefore, each of Claims 7 and 13-16 is allowable for the reasons given above with respect to Claim 1.

C. CLAIMS 2-6, 8-12, AND 17-26

Claims 2-6, 8-12, and 17-26 are dependent claims, each of which depends (directly or indirectly) on one of the independent claims discussed above. Each of Claims 2-6, 8-12, and 17-26 is therefore allowable for the reasons given above for the claim on which it depends. In addition, each of Claims 2-6, 8-12, and 17-26 introduces one or more additional limitations that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those limitations is not included at this time, although the Applicants reserve the right to further point out the differences between the cited art and the novel features recited in the dependent claims.

III. CONCLUSION

For the reasons set forth above, all of the pending claims are now in condition for allowance. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages in fees or credit any overages to Deposit Account

No. 50-1302.

Respectfully submitted,

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